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ABSTRACT

A legislative history shows the various stages in the process of enacting laws. In order to follow the legislative process the student is asked to select a topic of interest and research the various steps as a bill becomes law. Then he is given descriptions of some current and standard reference works which will help him find information on the laws, background information, progress through the legislature, congressmen, and organization and procedures of Congress. (Author/LS)

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TO TRACE A LAW: Use of Library Materials in a Classroom Exercise

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A legislative history shows the various stages in the process of enacting laws. In order to follow the legislative process the student is asked to select a topic of interest and research the various steps as a bill becomes law. Reference is made to a few current and standard reference works that are generally found in most libraries with even a moderate collection of legal materials. A new chart is provided.

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TRACING LEGISLATION

The full text of laws are generally arranged chronologically, in the sequence in which they were passed, and each receives a public law number (PL-#) which is essential for tracing legislative history.

A "History of Legislation" lists the various steps by which a law has been passed. Generally, there will be more information about a law - a measure that has been enacted - than there is on a bill, which merely exists as a proposal.

If you have a choice in tracing legislation select a law rather than a bill. For the current year there may be less information, since not all of it may have been published and received.

TO FIND A LAW

The best results in tracing legislation will result if you have selected the measure that interests you and one that has been enacted into law. Many of the indexes and tables listed below will be arranged by public law numbers.

To select a measure of interest, turn to the United States Code, Congressional and Administrative News (USCCAN). This is published in several volumes each year. A subject index appears in the last volume for the year and you may scan the subjects for one of interest to you.

For each law listed you will find two page-references. The first is for the text of the law; the second is for background material. Another listing will be found in the table of contents. If no laws seem of interest, turn to the volumes of a different year. Each year's volumes cover the legislation for that year only.

If you begin with a precise subject in mind, and wish to find legislation on it, the United States Code Annoted should be used. This is a multivolume set, and the last few volumes of it contain a subject index.

BACKGROUND INFORMATION

A general source of information about the year's legislation is the Congressional Quarterly Almanac. In the CQ Almanac you will find paragraphs about legislation grouped under broad headings, such as Defense, Trade, Crime, etc. This volume will provide you with a good summary of the debate and politics surrounding the passage of legislation. Generally more information will be available on controversial issues.

Some library material may be found on microform and a certain amount of the legal information in the library may not be found listed in the card catalog. Check with the librarian if you cannot find the data that you need.

stage 1: the bill

The bill originates from a Congressman and his staff, from outsiders interested in the measure, or from the Administration. If the bill originates in the Executive branch the proposal may be sent to Congress in a message. The proposal would then be referred to a Congressional Committee, a menber of which would submit the bill. All bills must be submitted by a Congressman.

The original bill's provisions and chief sponsor can be found in the Digest of Public General Bills and Resolutions. A digest of each bill is arranged by bill number. There is a subject index to the annual Digest volumes. Under the bill digest you will find the name of the chief sponsor. For the names of other sponsors consult the CONGRESSIONAL RECORD, for the date when your measure was submitted. The Digest of Public General Bills and Resolutions reviews the legislative history of a measure in a section devoted to public laws.

stage 2: hearings

The bill is sent to a committee by the Speaker, where it is publically discussed at "hearings." Lobbyists and Administration supporters may appear to defend or change the proposal. The matter may be first considered by a subcommittee before the full committee makes its decision.

A library may have the printed hearings for many major bills. Not infrequently these will be of book-length. Scan the table of contents for the names of witnesses and their affiliation. Note whether these are lobbyists, pro or con. If the hearing is in printed form it may be listed in the public card catalog under the name of the Committee, Turn to the author drawers under "U.S. Congress" for a breakdown of hearings and reports arranged under the name of each committee. Recent committee hearings may not be listed. Ask the librarian for help if you cannot find hearings listed for your subject.

The Congressional Information Service (CIS) lists all hearings and gives the names of witnesses and their affiliation. The library may also have Congressional hearings and reports on microform. These may be used when the printed hearings are not available.

stage 3: the report

The committee summarizes the provisions of a bill and renders its opinion in a committee report. Each report covers one bill although most bills never reach the report stage. The Congressional report contains the decision of a committee. It may be signed by committee members supporting the bill. The report may also have signed dissents or differing opinions.

The United States Code Congressional and Administrative News prints the most important House or Senate report in its legislative history section. The library may also have the report in the form of a separate pamphlet, microcard, or microfiche.

stage 4: Rules

The Rules Committee decides if and when a bill will be called up for consideration by the full House of Representatives. Its decisions usually relate to procedure rather than substance. In some cases the Rules Committee can by circumvented. There is usually no printed hearing or report of the Rules Committee, except in cases of unusual controversy.

stage 5: debate & passage

The full House considers the bill, debates it, and possibly amends the measure. It may then be passed. The Congressional Record contains the floor debates, arranged by day. There is an annual index to the Congressional Record, and a "daily digest" provide a summary of each day's transactions. Paper issues for each day cover the current year; these have a biweekly index. A general review of the House consideration of a measure may be found in the Congressional Quarterly Almanac. Check both the table of contents and the index to the annual volume. The Almanac is updated by th CQ Weekly Reports. These have a quarterly index. The Congressional Digest, a monthly magazine, reprints condensed versions of the major Congressional debates, both pro and con. The New York Times and the National Journal both cover Congressional action on a news basis. The final record of the vote may be given in the Congressional Record and the Congressional Quarterly Almanac.

stage 6: "the other house"

The bill will be sent to the other House for its consideration. If it was first considered in the House of Representatives it would then be referred to the Senate. But if the Senate has already passed an identical measure the action is completed. If, however, the Senate has passed its own measure in different form, or seeks to amend the House version, the two Houses must confer on the difference.

stage 7: conference

A "Conference committee" is appointed to settle a dispute between the two Houses. A conference committee will seek a compromise and may amend a measure. If there is a conference committee report it may be printed in the U.S. Code, Congressional and Administrative News, following the earlier committee report. It should also appear in the Congressional Record.

stage 8: enactment

After considering the conference committee report the two Houses separtely will vote on the measure. If passed it is then readied for signing by the President. The Congressional Record will record the final vote on the measure. The bill may then be signed by the President. If the bill is considered important enough there may be a Presidential statement upon signing. Consult the Weekly compilation of Presidential Documents for the week following signing. The final text of the law will be in the USCCAN under the public law (PL) number. The same text of the law will also be found in the Statutes at Large.

current, basic library sources

United States Code, Congressional and Administrative News. St. Paul, West Publ.

Issued in several volumes each year with a law section and a legislative history section. Index appears in last volume. Monthly paper supplements each with a cumulative index. Abbreviated "USCCAN." Also has a table giving legislative history just before the index.

Congressional Quarterly Almanac. Washington, Congressional Quarterly Service.

Reviews legislative politics for the year. It is updated by the CQ Weekly Reports. Each year's volume has a chapter, "Lobby report," followed by a lobby registration index.

Congress and the Nation. Washington, Congressional Quarterly Service. Volume 1, 1945-64, v.II 1965-68, v.III 1969-1972.

A detailed review of national government and politics under broad chapter headings. It has a chapter on lobbyists, a section explaining how a bill is passed, and a glossary of legislative terms.

U.S. Library of Congress. Digest of Public General Bills and Resolutions. Washington, Government Printing Office.

Each bill is given a paragraph summarizing its provisions, and these are arranged by bill number. Paper supplements are issued throughout the year. Both subjects and sponsors are listed in an index.

Congressional Record. Washington, Government Printing Office.

The Congressional Record has a transcript of the debates in Congress. The debate is arranged by date. Considerable further background information, newspaper articles, etc. may also be included. There is an annual index to the Congressional Record and tables showing the passage of laws. A daily digest is given, summarizing the day's debate, and giving page references. Current issues of the Record consist of loose paper copies, one to a day. These are covered by a bi-weekly index.

Congressional Digest. Washington. 10 issues per year.

Contains excerpts from Congressional debates, but only covers the most major of issues. Gives pro and con.

Congressional Quarterly Service. Weekly Reports. Washington.

The CQ Weekly Reports gives a current news summary of the events in Congress. At the end of each year the information is rearranged into the annual Congressional Quarterly Almanac (see above.) The weekly reports have an index published quarterly. It also has a list of lobbyists published quarterly.

National Journal. Washington, Center for Political Research.

Provides good weekly news coverage of governmental actions. Gives roll-call votes.

background on Congressmen & districts

Congressional Directory. Washington, Government Printing Office.

This is the official guide to Congress, giving the membership of all Congressional committees, and a biographical statement about each Congressman. (The Congressmen themselves prepare their own biographies.)

Ralph Nader Congress Project. Citizens look at Congress. Grossman, 1972.

This is a long series of individual reports about each Congressman, going into his background, performance and politics. The reports themselves have been prepared by a variety of individuals, many of them students. The essays are thorough, but reflect the bias of the writers.

Barone, Michael, Grant Ujifusa, and Douglas Matthews. Almanac of American Politics. Gambit. 1972-

Highly condensed, detailed information about each Congressman and his district. Gives biography, career, committees served, political group ratings, key votes, election results, census data, federal outlays, economic base, and politics. All of the above is arranged Congressional district, and is very convenient to use.

U.S. Bureau of the Census. Congressional District Data Book, A Statistical Abstract Supplement. Washington.

This is issued at ten year intervals, following each census. Contains only tables showing for each Congressional district the vote cast for national office, census figures, polulation, race, national orign, age, sex, migration, education, income, employment, housing, vital statistics, industry. Additional separate tables are provided for districts that have a concentration of nonwhites.

guides to organization & procedure of Congress

Congressional Quarterly Service. Guide to the Congress of the United States, Origin, History and Procedure. Washington, 1971.

Comprehensive coverage for the background of Congress and its workings.

Tacheron, Donald and Morris K. Udall. The job of the Congressman; an introduction to service in the U.S. House of Representatives. 2d. edition. New York, Bobbs-Merrill, 1970.

One of the best guides to the organization of Congress. This book was intended to be used by Congressmen.

indexes to legislation

U.S. Library of Congress. Digest of Public General Bills and Resolutions. Washington, Government Printing Office.

Descriptive digest of the provisions of bills and laws. Arrangement is by bill or public law number. Index by subject and sponsor.

Congressional Information Service. Index to Publications of the U.S. Congress (CIS Index.) Washington, D. C.

CIS Index (issued monthly) abstracts and indexes hearings, reports, etc. of all Congressional Committees. The abstracts are arranged by Committee, and usually just give the title and subject of the hearing or report, the names of witnesses and their affiliation.

Listed in the index portion are subject, authors, witnesses, subcomittees, popular names of bills, bill numbers, etc.

U.S. Superintendent of Documents. Monthly catalog of United States Government Publications. Washington, Government Printing Office.

This is only a listing of hearings but using this list the librarian can identify the government number assigned to the particular publication, and then discover whether it is in the library. The Monthly Catalog has monthly, annual and ten year indexes.

collected laws

United States Code, Congressional and Administrative News. St. Paul, West Publ.

Contains the text of laws arranged numerically by public law (PL) number. Indexed. Annual cumulations and monthly supplements. Each monthly issue has a cumulative index for the year.

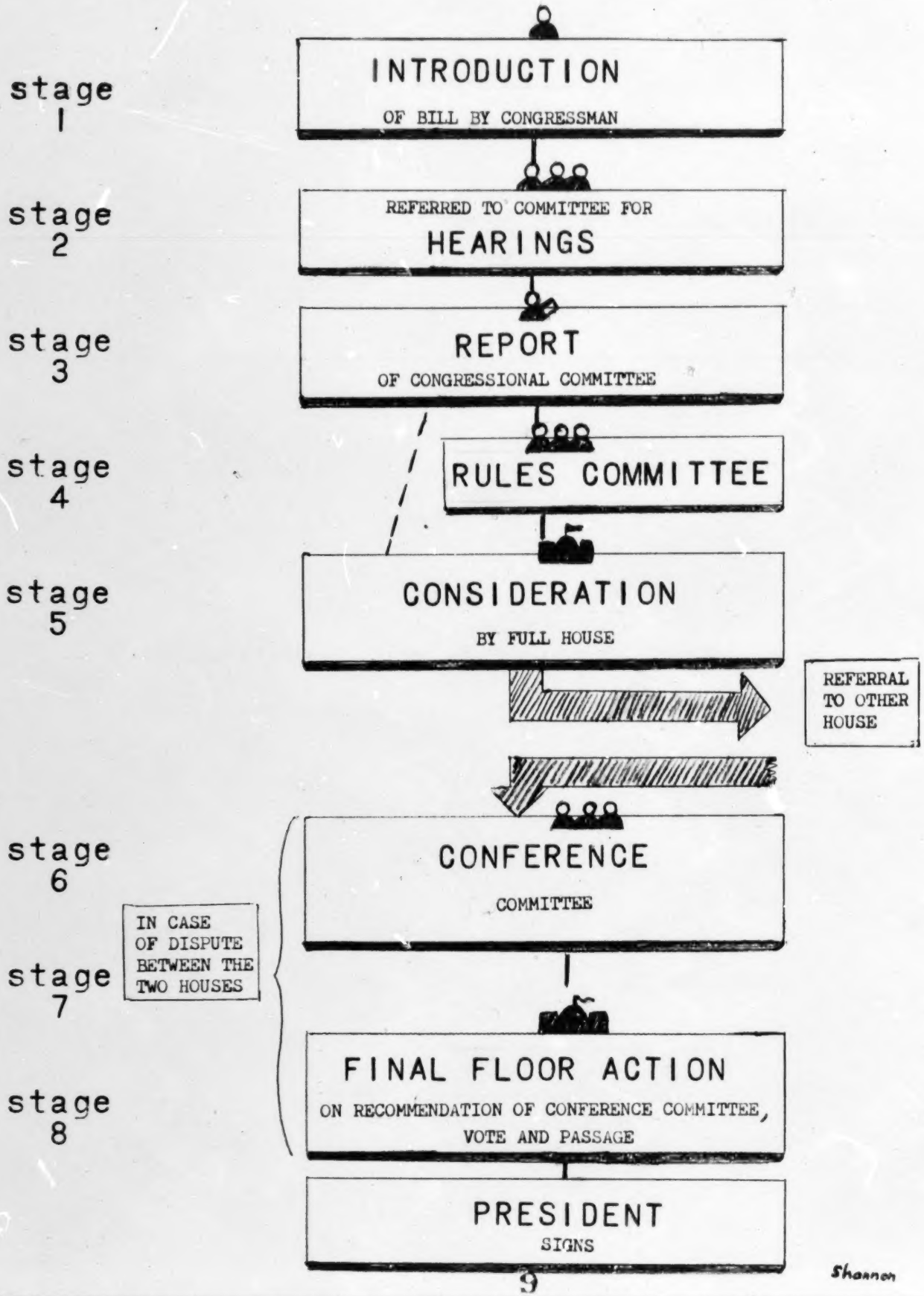
United States Statutes at Large. Washington Government Printing Office.

The Statutes at Large is the official edition of the laws as passed. There are usually several volumes per year, with index. Because of delay in publication the USCCAN (above) will be more current. The statutes are referred to by the volume and page number, for example: 84 Stat.121.

United States Code Annotated. St. Paul, West Publishing Co.

The USCA is a subject arrangement of the laws that are now current. It does not contain provisions that have expired or have been changed. Separate volumes exist on different subjects of the law, with an index in each ; there is also an overall, multivolume index to the entire set. One volume of tables correlate the US Code with the Statutes and the Public Laws. Each volume of the USCA also contains a pocket supplement on the inside of the rear cover. This is important to check for current revisions.

typical passage of legislation in House



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